



WHAT'S INSIDE:	<u>Page</u>
Calendar Details	2
<u>Agenda Notes:</u>	
Agenda Item #40 – City Code Ordinance – Charlotte Sewer Use Ordinance	2
PULLED Agenda Item #59F – In Rem Remedy 1700 Heathcliff Street.....	3
<u>Attachment:</u>	
City Council Follow-Up Report	3
--Street Light Outages	
September 23 Council-Manager Relations Committee Summary	3

WEEK IN REVIEW:

Mon (Oct 28)	Tues (Oct 29)	Wed (Oct 30)	Thurs (Oct 31)	Fri (Nov 1)
11:45 AM Council-Manager Relations Committee, Room 267 5:00 PM Council Business Meeting, Room 267 6:30 PM Citizens' Forum, Meeting Chamber			12:00 PM Transportation and Planning Committee, Room 280	

CALENDAR DETAILS:

Monday, October 28

- 11:45 am Council-Manager Relations Committee, Room 267
AGENDA: Citizens Review Board; Council retreat locations
- 5:00 pm Council Business Meeting, Room 267
- 6:30 pm Citizens' Forum, Meeting Chamber

Thursday, October 31

- 12:00 pm Transportation and Planning Committee, Room 280
AGENDA: Noise walls and the I-77 managed lanes project

ATTACHED: [October and November calendars](#)

AGENDA NOTES:

Agenda Item #40 – City Code Ordinance Amendment – Charlotte Sewer Use Ordinance

Staff Resources: Barry Gullet, Utilities, 704-336-4931, bgullet@charlottenc.gov

Dana Fenton, City Manager's Office, 704-336-2009, dfenton@charlottenc.gov

Karen Weatherly, City Attorney's Office, 704-336-5878, kweatherly@charlottenc.gov

Agenda item #40 on Monday night's agenda requests that Council approve an amendment to Chapter 23 of the City Code, *Water, Sewer and Industrial Waste Discharge Restrictions*, commonly referred to as the Sewer Use Ordinance. State and federal law requires the City to have such an ordinance. The amendment is required to align the ordinance with recent changes to rules and regulations by the NC Department of Environment and Natural Resources.

Due to a new state law that took effect on August 23, 2013 (HB 74), changes to certain city or county ordinances may require a unanimous vote of members present and voting in order to be effective. Section 10.2(a) of HB 74 states the following: "A city or county may enact an ordinance that regulates a field that is also regulated by a State or federal statute enforced by an environmental agency or that regulates a field that is also regulated by a rule adopted by an environmental agency if the ordinance is approved by a unanimous vote of the members present and voting." The City's Sewer Use Ordinance, Chapter 23, regulates a field regulated by State of North Carolina (NCGS §143, Article 21) and federal (Clean Water Act – 33 USC 1251 et seq.; Pretreatment Regulations – 40 CFR, Part 403) statutes and the rules (15A NCAC 02H) are enforced by the NC Department of Environment and Natural Resources, which is defined in HB 74 as "an environmental agency". The City Attorney's Office is of the opinion that the Sewer Use Ordinance is subject to HB 74 and thus, any amendments to it must be approved by a unanimous vote of members present and voting.

PULLED Agenda Item #59F – In Rem Remedy 1700 Heathcliff Street

Staff Resource: Ben Krise, N&BS, 704-336-2485, bkrise@charlottenc.gov

Neighborhood & Business Services requests that Agenda Item #59F, In Rem Remedy for 1700 Heathcliff Street be pulled from the October 28 City Council agenda. The property is located in the Wesley Heights Historic District and requires approval from the Historic District Commission prior to demolition. This item will appear on a future agenda.

ATTACHMENTS:

- [City Council Follow-Up Report](#)
Contents:
--Street Light Outages
- [September 23 Council-Manager Relations Committee Summary](#)